



COMMONWEALTH OF KENTUCKY  
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JUDICIAL ETHICS OPINION JE-52

Formal

**Question:** A judge is getting ready to campaign for office. He wants to appoint as his campaign treasurer the same individual who is his trial commissioner. Is this permissible?

**Answer:** No.

**References:** Canon 7(A)(1)(b).

At the end of the Supreme Court rules covering the Judicial Code of Ethics there are some paragraphs which set out who must comply with the Judicial Code of Ethics.

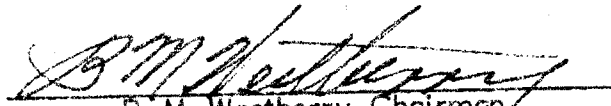
Anyone, whether or not a lawyer, who is an officer of a judicial system performing judicial functions, including an officer such as a referee in bankruptcy, special master, court commissioner, or magistrate is a judge for purposes of this Code. All judges should comply with this Code. . . .

Since trial commissioners are court commissioners, they come under the provisions of the Code.

Canon 7(A)(1)(b) states:

A judge or a candidate for judicial office should not make speeches for a political organization or candidate or publicly endorse a candidate for public office; . . . .

If a trial commissioner were to serve as campaign treasurer for a judicial candidate, this would constitute a public endorsement of a political candidate bringing him into violation of Canon 7(A)(1)(b). Therefore the judge cannot ethically appoint him to this position.

  
B. M. Westberry, Chairman  
Judicial Ethics Committee